

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA**

IN RE:

**Amir Golastan Parast a/k/a Amir Golestan,

Debtor.**

Case # 19-05657-dd

Chapter 7

**ORDER AUTHORIZING TRUSTEE TO SELL REAL ESTATE TITLED TO
MICFO, LLC., FREE AND CLEAR OF LIENS, CLAIMS, INTERESTS, AND
ENCUMBRANCES, PURSUANT TO HER AUTHORITY AS HOLDER OF THE
RIGHTS AND POWERS OF SOLE MEMBER OF MICFO**

THIS MATTER comes before the Court on the notice and application of Michelle L. Vieira, Chapter 7 Trustee (“Trustee”) for Amir Golastan Parast a/k/a Amir Golestan (“Debtor”), for authority to sell free and clear of liens the commercial real estate as described herein, in the exercise of her rights and powers as Trustee in this bankruptcy case, and in the exercise of the rights and powers of the sole member of MICFO, LLC. a/k/a Micfo, LLC (“Micfo”).

The Trustee acquired a 100% membership interest in Seven and Rose, LLC (“Seven/Rose”) and in Micfo in connection with the within chapter 7 bankruptcy case. Seven/Rose is a debtor-in-possession in a pending chapter 11 bankruptcy case, Case No. 20-03757-jw (the “Chapter 11 Case”). Seven/Rose owns commercial real estate located at 198 East Bay Street, Charleston, South Carolina 29401, consisting of Suites 200 and 300. Micfo is the title owner of Suite 201, further being shown and designated as PIN: 458-05-04-020 (the “Micfo Unit”), which was combined with Suite 200 during a remodel.

The Trustee, in her role as the holder of the rights and powers of the sole member of Seven/Rose, is seeking to sell the above described property in the Chapter 11 Case, pursuant to the Plan of Reorganization in that case, and pursuant to a pending notice and application for sale in the Chapter 11 Case. In conjunction therewith, the Trustee seeks authority from this Court to sell the Micfo Unit in the exercise of the rights and powers of the sole member of Micfo.

The Court has been informed that all parties in interest have been notified of the intention to sell the Micfo Unit, and that no objections to the proposed sale have been filed.

It is therefore,

ORDERED, ADJUDGED, AND DECREED, that the Trustee holds the rights and powers of the sole member of Micfo.

IT IS ORDERED that the Trustee is authorized to sell and to convey, on behalf of Micfo, the Micfo Unit.

IT IS ORDERED that the sale of the Micfo Unit shall be subject to such terms, conditions, and provisions as is ordered in the Chapter 11 Case, including such terms that apply to a sale to any "back-up" buyer.

IT IS ORDERED that the allocation of sale proceeds and the costs of sale shall be determined and paid in accordance with such order(s) entered in the Chapter 11 Case.

IT IS ORDERED that upon the sale of the Micfo Unit, the mortgage lien of TBG Funding, LLC shall be paid in full at closing.

IT IS ORDERED that outstanding and/or past due property taxes due to Charleston County as to the Micfo Unit shall be paid at closing, including any redemption amount required, plus pro-rated taxes for 2021.

IT IS ORDERED that outstanding and/or past due regime fees owed to 198 East Bay Regime Association as to the Micfo Unit shall be paid at closing, plus pro-rated regime fees for the payment term in effect at the time of closing.

IT IS ORDERED that Ascentium Capital LLC shall be paid the net proceeds of sale attributed to the Micfo Unit, if any, up to its lien amount, in accordance with the allocations as set forth in the Seven/Rose Disclosure Statement in the Chapter 11 Case, as amended, including allocations relating to administrative expenses.

IT IS FURTHER ORDERED that the sale of the Property shall be free and clear of all liens, claims, encumbrances and interests.

IT IS SO ORDERED.

FILED BY THE COURT
03/29/2021



David R. Duncan
US Bankruptcy Judge
District of South Carolina

Entered: 03/29/2021